

**MINUTES OF LIVERPOOL PLAINS SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 60 STATION STREET, QUIRINDI
ON WEDNESDAY, 26 OCTOBER 2022 AT 2:30PM**

PRESENT: Cr Ken Cudmore, Cr Doug Hawkins OAM, Cr Yvonne Wynne, Cr Terry Cohen, Cr Donna Lawson, Cr Jason Allan

IN ATTENDANCE: Joanne Sangster (General Manager), Nathan Skelly (Director Infrastructure and Environmental Services), Christie Pearson (Executive Operations), Chris Weber (Acting Director Corporate Community Services)

AUDIO RECORDING OF MEETINGS

The Mayor informed the meeting as follows:

“Consistent with section 747A of the Local Government Act 1993 and current Public Health Order, this meeting of Liverpool Plains Shire Council is being live-streamed to Council’s website.

A webcast of this meeting will be published to Council’s website at liverpoolplains.nsw.gov.au so that it is available for viewing by members of the public.”

1 ACKNOWLEDGEMENT OF COUNTRY AND COUNCIL PRAYER

Cr Lawson recited the Acknowledgement of Country and the Council Prayer.

2 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

RESOLUTION 2022/220

Moved: Cr Ken Cudmore

Seconded: Cr Terry Cohen

That leave of absence from Cr Paul Moules be received and accepted.

CARRIED

The Mayor invited apologies and applications for leave of absence.

3 CONFIRMATION OF MINUTES

3.1 MINUTES OF THE COUNCIL MEETING HELD ON 28 SEPTEMBER 2022

RESOLUTION 2022/221

Moved: Cr Ken Cudmore

Seconded: Cr Jason Allan

That the Minutes of the Council Meeting held on 28 September 2022 be received and the recommendations therein be adopted.

CARRIED

4 DISCLOSURES OF INTERESTS

The Mayor requested Councillors disclose any conflicts of interest in matters under consideration at the Ordinary Meeting, in accordance with Part 4 and part 5 of the Code of Conduct.

Nil disclosures were made

5 MAYORAL MINUTE(S)

5.1 MAYORAL MINUTE - SEPTEMBER 2022

RESOLUTION 2022/222

Moved: Cr Doug Hawkins OAM

That Council:

1. Receive and note the Mayoral Minute.

CARRIED

6 INWARD CORRESPONDENCE/PETITIONS

Nil

7 REPORTS TO COUNCIL

7.1 EXECUTIVE SERVICES REPORT - OCTOBER 2022

RESOLUTION 2022/223

Moved: Cr Terry Cohen

Seconded: Cr Yvonne Wynne

That Council:

1. Receive and note the Executive Services Report for September 2022.

CARRIED

7.2 RESOLUTIONS REGISTER UPDATE - OCTOBER 2022

RESOLUTION 2022/224

Moved: Cr Jason Allan

Seconded: Cr Ken Cudmore

That Council:

1. Receive and note the Resolutions Register as at 20 October 2022 appended at *Annexure A*.

CARRIED

7.3 CORPORATE AND COMMUNITY SERVICES DIRECTORATE REPORT - SEPTEMBER 2022

RESOLUTION 2022/225

Moved: Cr Terry Cohen

Seconded: Cr Jason Allan

That Council:

1. Receive and note the Corporate and Community Services Directorate briefing for September 2022 as detailed in this report.

CARRIED

7.4 SPECIAL VARIATION 2023-24

RESOLUTION 2022/226

Moved: Cr Donna Lawson

Seconded: Cr Jason Allan

That Council:

1. Receive the report "Special Variation 2023/24",
2. Confirm and request the General Manager notify the Independent Pricing and Regulatory Tribunal (IPART) of its intent to apply under section 508(2) of the Local Government Act 1993 for a permanent one-year Special Variation of 18.1 % in 2023/24 to negate the negative revenue impact of the Special Variation expiring 30 June 2023 and increase by the 3.7% rate peg for 2023/24. The purpose of this application is maintaining Councils Financial Sustainability and existing levels of service across the community.
3. Note that the next phase of the community information and engagement period will commence in November 2022, and
4. Request a future report on the November 2022 community consultation outcomes prior to Special Variation Application for 2023/24.

CARRIED

7.5 ANNUAL TABLING OF DISCLOSURE OF INTEREST RETURNS

RESOLUTION 2022/227

Moved: Cr Terry Cohen

Seconded: Cr Donna Lawson

That Council:

1. Note the annual tabling of the Disclosure of Interest Returns by Councillors, Senior Staff and designated persons.

CARRIED

7.6 STATEMENT OF INVESTMENTS - SEPTEMBER 2022

RESOLUTION 2022/228

Moved: Cr Donna Lawson

Seconded: Cr Jason Allan

That Council:

1. Receive and note the Statement of Investments at 30 September 2022.

CARRIED

7.7 CODE OF CONDUCT POLICY AND PROCEDURES FOR THE ADMINISTRATION OF THE CODE OF CONDUCT

RESOLUTION 2022/229

Moved: Cr Ken Cudmore

Seconded: Cr Donna Lawson

That Council:

1. Pursuant to section 440(3) of the *Local Government Act 1993* and clause 180(1) of the *Local Government (General) Regulation 2021*, adopt the draft Code of Conduct contained at *Annexure 1*.
2. Repeal the Code of Conduct adopted 30 September 2020.
3. Pursuant to section 440AA(3) of the *Local Government Act 1993* and clause 181 of the *Local Government (General) Regulation 2021*, adopt the draft Procedures for the Administration of the Code of Conduct contained at *Annexure 2*.
4. Repeal the Procedures for the Administration of the Code of Conduct adopted 30 September 2020.

CARRIED

7.8 LEARN TO SWIM

RESOLUTION 2022/230

Moved: Cr Donna Lawson

Seconded: Cr Yvonne Wynne

That Council:

1. Rescind the Learn to Swim Fees in the 2022-23 Fees and Charges Schedule.

CARRIED

7.9 LOCAL ADVISORY GROUPS

RESOLUTION 2022/231

Moved: Cr Jason Allan

Seconded: Cr Terry Cohen

That Council:

1. Receive and note the minutes of Currabubula Local Advisory Group.
2. Receive and note the updated Register of Local Advisory Group members.

CARRIED

7.10 COMMUNITY FUNDING PROGRAM

RESOLUTION 2022/232

Moved: Cr Jason Allan

Seconded: Cr Yvonne Wynne

That Council:

1. Approve the allocation of one grant to the Liverpool Plains Business Chamber of \$2,000 as per the grant application for the purpose of conducting a Business Expo event.
2. Accept the late application from Quirindi Rotary and approve the allocation of one grant to Quirindi Rotary of \$2,000 as per the grant application for the purpose of the Sober in the Country event.

CARRIED

7.11 2022/2023 POOL SEASON BRIEFING

RESOLUTION 2022/233

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

1. That Council note the report.

CARRIED

7.12 INFRASTRUCTURE & ENVIRONMENTAL SERVICES DIRECTORATE REPORT - OCTOBER 2022

RESOLUTION 2022/234

Moved: Cr Ken Cudmore

Seconded: Cr Donna Lawson

That Council:

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1. Receive and note the Infrastructure and Environmental Services Directorate report for the month of October 2022 as detailed in this report.

CARRIED

7.13 WERRIS CREEK INDUSTRIAL PRECINCT - PROJECT UPDATE

RESOLUTION 2022/235

Moved: Cr Jason Allan

Seconded: Cr Donna Lawson

That Council:

1. receive and note the project update report
2. acknowledge the challenges facing Council delivering the current proposed solution within the approved budget, and
3. request a further report to the ordinary Council meeting in November 2022 detailing the solutions and associated risks and funding options, in order for a decision to be made to complete the project

CARRIED

7.14 QUIPOLLY WATER PROJECT CONSTRUCTION PROGRESS REPORT

RESOLUTION 2022/236

Moved: Cr Donna Lawson

Seconded: Cr Terry Cohen

That Council:

1. Receive and note this month's progress of the Quipolly Water Project's design and construction phases.

CARRIED

7.15 TOWN WATER SUPPLY STATUS UPDATE

RESOLUTION 2022/237

Moved: Cr Ken Cudmore

Seconded: Cr Jason Allan

That Council:

1. Receive and note the Water Supply Status Report

CARRIED

8 DELEGATES REPORTS

Nil

9 NOTICES OF MOTIONS/QUESTIONS WITH NOTICE

Nil

10 CONFIDENTIAL MATTERS

RESOLUTION 2022/238

Moved: Cr Jason Allan

Seconded: Cr Donna Lawson

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

10.1 Tender 049/2022 - Spring Ridge Town Water Supply Stage 3A Pipeline Construction

This matter is considered to be confidential under Section 10A(2) - (d)(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

10.2 Approval to Endorse and Affix Council Seal to Lease - Harvest Christian Centre, 11 New England Highway, Willow Tree

This matter is considered to be confidential under Section 10A(2) - (c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CARRIED

RESOLUTION 2022/241

Moved: Cr Terry Cohen

Seconded: Cr Donna Lawson

That Council moves out of Closed Council into Open Council.

CARRIED

REPORT ON CONFIDENTIAL MATTERS

The Mayor reported as follows on the matters considered in the confidential section of the meeting:

10 CONFIDENTIAL MATTERS

10.1 TENDER 049/2022 - SPRING RIDGE TOWN WATER SUPPLY STAGE 3A PIPELINE CONSTRUCTION

RESOLUTION 2022/242

Moved: Cr Donna Lawson

Seconded: Cr Jason Allan

That Council:

1. Award the Contract for Tender 049/2022 Spring Ridge Town Water Supply Stage 3A Pipeline Construction to Keane Civil and Construction for the value of \$297,371.90.

CARRIED

10.2 APPROVAL TO ENDORSE AND AFFIX COUNCIL SEAL TO LEASE - HARVEST CHRISTIAN CENTRE, 11 NEW ENGLAND HIGHWAY, WILLOW TREE

RESOLUTION 2022/243

Moved: Cr Jason Allan

Seconded: Cr Donna Lawson

That Council:

1. Endorse and affix the Council Seal to the Lease between Liverpool Plains Shire Council and Harvest Christian Centre, for the provision of a Community Pantry at 11 New England Highway, Willow Tree.
2. Delegate authority to the Mayor and General Manager to execute all required documentation pertaining to the implementation of the Lease between Liverpool Plains Shire Council and Harvest Christian Centre.

CARRIED

The Meeting closed at 3:16pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 23 November 2022.

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CHAIRPERSON